

1 Robert G. Krupka, P.C. (Bar No. 196625)
E-mail: bkrupka@kirkland.com
2 Marc H. Cohen (Bar No. 168773)
E-mail: mcohen@kirkland.com
3 Philip T. Chen (Bar No. 211777)
E-mail: pchen@kirkland.com
4 KIRKLAND & ELLIS LLP
777 South Figueroa Street
5 Los Angeles, California 90017
Telephone: (213) 680-8400
6 Facsimile: (213) 680-8500

7 Attorneys for Plaintiff
8 RESEARCH IN MOTION LIMITED

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 RESEARCH IN MOTION LIMITED,

14 Plaintiff,

15 v.

16 VISTO CORPORATION,

17 Defendant.
18

19 AND RELATED COUNTERCLAIMS
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Case No. C-07-3177 (EDL)

**RESEARCH IN MOTION LIMITED'S
REPLY TO COUNTERCLAIMS**

1 Plaintiff Research In Motion Limited ("RIM"), by its attorneys, replies to the
2 Counterclaims of Defendant Visto Corporation ("Visto") against RIM:

3 **JURISDICTION AND VENUE**

4 1. Admitted.
5 2. Admitted.
6 3. Admitted that personal jurisdiction and venue are proper in the Northern District of
7 California, San Francisco Division, pursuant to 28 U.S.C. §§ 1391(b)-(c) and 1400(b). Denied in all
8 other respects.

9 **PARTIES**

10 4. Admitted.
11 5. Admitted.

12 **GENERAL ALLEGATIONS**

13 6. On information and belief, Visto was established in 1996 and currently offers
14 personal and corporate wireless messaging solutions to mobile operators for personal and corporate
15 use. Denied in all other respects.

16 7. Admitted.
17 8. Admitted.

18 **COUNT I**
19 **(Declaratory Judgment of Non-Infringement)**

20 9. RIM incorporates the admissions and denials set forth in Paragraphs 1-8 as if fully set
21 forth herein.

22 10. Admitted.
23 11. Denied.

24 **COUNT II**
25 **(Declaratory Judgment of Invalidity)**

26 12. RIM incorporates the admissions and denials set forth in Paragraphs 1-11 as if fully
27 set forth herein.

28 13. Admitted.
14. Denied.

PRAYER FOR RELIEF ON COUNTERCLAIMS

The remainder of Visto's Counterclaims comprises Visto's prayer for relief to which no response is required. To the extent that any response may be required, RIM denies Visto's allegation that (1) Visto does not infringe the '839 patent; and (2) the claims of the '839 patent are invalid. RIM denies that Visto is entitled to attorneys' fees and costs. RIM further denies that Visto is entitled to any relief whatsoever against RIM. Except as expressly admitted, RIM denies each and every allegation set forth in Visto's Counterclaims.

DATED: July 23, 2007

KIRKLAND & ELLIS LLP

By: _____/s/_____
Robert G. Krupka, P.C.
Marc H. Cohen
Philip T. Chen

Attorneys for Plaintiff
RESEARCH IN MOTION LIMITED

CERTIFICATE OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 777 S. Figueroa Street, 37th Floor, Los Angeles, California 90017.

On July 23, 2007, I caused a copy of the following document(s) described as:

RESEARCH IN MOTION LIMITED'S REPLY TO COUNTERCLAIMS

to be served on the interested parties in this action as follows:

[X] [VIA U.S. MAIL] By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California, addressed as set forth herein. I am familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid in the ordinary course of business.

[X] [VIA ELECTRONIC MAIL] I caused said document[s] to be sent by electronic mail to the email address(es) indicated for the party(ies) listed below:

Robert D. Becker
E-mail: rbecker@manatt.com
Eugene L. Hahm
E-mail: ehahm@manatt.com
Shawn G. Hansen
E-mail: shansen@manatt.com
MANATT, PHELPS & PHILLIPS, LLP
1001 Page Mill Road, Building 2
Palo Alto, CA 94304
Telephone: (650) 812-1300
Facsimile: (650) 213-0260

[X] [FEDERAL] I declare that I am employed in the office of a member of the bar of this court at whose direction this service was made.

Executed July 23, 2007, at Los Angeles, California.

_____/s/
Karol Tshabourian